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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,496	12/28/2000	Cetin Seren	081862.P209	3275

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EXAMINER

HAN, CLEMENCE S

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/751,496

Applicant(s)

SEREN ET AL.

Examiner

Clemence Han

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to the instant Office action.

### *Claim Objections*

2. Claim 1, 3, 9, 11, 17, 19, 25 and 26 are objected to because of the following informalities: Acronyms are used without first defined. For example, IMA-ID in line 3 of the claim 1. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 1–4, 6–12, 14–20 and 22–28 are rejected under 35 U.S.C. 102(e) as being anticipated by Vallee (US Patent 6,205,142).

In regarding to claim 1, 9 and 17, Vallee teaches a method comprising:  
monitoring a plurality of links to determine state changes of the links (Column 7  
Line 3–8); enforcing an IMA-ID check when an insufficient links state is reached

(Column 8 Line 52–56); relaxing the IMA-ID check when all the links are in an error state (Column 6 Line 59–63); and re-enforcing an IMA-ID check when at least one link of the plurality of links recovers from an error state (Column 6 Line 59–63).

In regarding to claim 2, 10 and 18, Vallee teaches enforcing the IMA-ID check if a near end IMA-ID does not match a far end IMA-ID (Column 7 Line 53–55).

In regarding to claim 3, 11 and 19, Vallee teaches a method comprising: restarting an existing IMA group (Column 6 Line 59–63), comprising learning an IMA group ID of a far end IMA group (Column 7 Line 53–55); making the IMA group ID persistent (Column 5 Line 42–46); using only links matching the IMA group ID (Column 5 Line 36–38); and placing non-matching links in an unusable state (Column 6 Line 34–51).

In regarding to claim 4, 12 and 20, Vallee teaches resynchronizing the IMA group (Column 6 Line 59–63); and extracting the IMA group ID from a first connected link (Column 8 Line 52–56).

In regarding to claim 6, 14 and 22, Vallee teaches screening IMA links having an IMA group ID that are involved in unintentional IMA group restarts for a matching stored IMA group ID (Column 5 Line 36–38).

In regarding to claim 7, 15 and 23, Vallee teaches looping back all links (Column 9 Line 54–55).

In regarding to claim 8, 16 and 24, Vallee teaches marking all links as unusable (Column 6 Line 59–63).

In regarding to claim 25, Vallee teaches a line card for use in a switch, comprising: a central processing unit (CPU); a system controller connected to the central processing unit; random access memory (RAM) connected to the system controller; and a group restarter connected to the CPU, controller, and RAM wherein the group restarter restarts an IMA group (Column 6 Line 59–63).

In regarding to claim 26, Vallee teaches monitoring a plurality of links to determine state changes of the links and enforces an IMA-ID check when an insufficient links state is reached (Column 8 Line 52–56).

In regarding to claim 27, Vallee teaches relaxing the IMA-ID check when all the links are in an error state (Column 6 Line 59–63) and re-enforcing an IMA-ID check when at least one link of the plurality of links recovers from an error state (Column 6 Line 59–63).

In regarding to claim 28, Vallee teaches enforcing the IMA-ID check if a near end IMA-ID does not match a far end IMA-ID (Column 7 Line 53–55).

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5, 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallee in view of Anesko et al. (US Patent 6,717,960).

In regarding to claim 5, 13 and 21, Vallee teaches a method comprising: monitoring a plurality of links to determine state changes of the links (Column 7 Line 3–8); enforcing an IMA-ID check when an insufficient links state is reached (Column 8 Line 52–56); relaxing the IMA-ID check when all the links are in an error state (Column 6 Line 59–63); and re-enforcing an IMA-ID check when at least one link of the plurality of links recovers from an error state (Column 6 Line 59–63). Vallee, however, does not teach storing a new IMA group ID in memory. Anesko teaches storing a new IMA group ID in memory (Column 4 Line 36–37). It would have been obvious to one skilled in the art to modify Vallee to store a new IMA group ID in memory as taught by Anesko in order to achieve faster process (Column 6 Line 27–32).

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to the IMA in general.

U.S. Patent 6,002,670 to Rahman et al.

U.S. Patent 6,222,858 to Counterman

U.S. Patent 6,621,794 to Heikkinen et al.

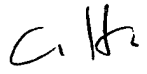
U.S. Patent 6,678,275 to DeGrandpre et al.

U.S. Patent 6,680,954 to Cam et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (703) 305-0372. The examiner can normally be reached on Monday-Friday 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Clemence Han  
Examiner  
Art Unit 2665

  
HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600